

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, OCTOBER 5, 2015**

Mayor Michaelis called the Regular Session to order at 7:00pm. Council members Schwarz, Frey, Bellm and Nicolaides were present. Others in attendance were City Manager Mark Latham, City Attorney John Long; Directors Bell, Cook, Korte, Peck, Rosen and Schoeck; Fire Chief Bloemker, EMS Chief Wilson, Sergeant Aric Steinbeck, Library Director Kim, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm; 10 citizens and one member of the news media.

MINUTES

Councilman Schwarz made a motion to approve the minutes of the September 21, 2015 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

PUBLIC FORUM

Citizens' Requests and Comments:

Highland News Leader – 2015 Trick-or-Treat Trail Request – Mark Hodapp, reporter for the News Leader, requested approval for the Highland News Leader to host the Trick-or-Treat Trail per the written request submitted. Councilman Schwarz made a motion to approve the request of the Highland News Leader to hold the Trick-or-Treat Trail on Friday, October 23, 2015, 2:00–6:00pm as attached; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried.

Veterans' Day Parade and Square Use Request – Lenny Gall and Kenny Kapp, 2015 Parade Co-Chairmen, of Moose Lodge #2479, requested permission, along with V.F.W. Post #5694 and American Legion Post #439, to hold the Veterans' Day Parade in conjunction with National Veterans' Week, which is November 8 – 14, 2015. We would asked that Mayor Michaelis read and present a proclamation for this at the ceremony following the parade. The parade will be on Sunday, November 8, 2015, starting at 2:00pm, starting at the intersection of Olive and Main, then proceeding west on Main Street to the Square. Councilman Schwarz made a motion to grant permission for the V.F.W., American Legion and Moose Lodge to hold a Veterans' Day Parade and use of the Square for presentations on Sunday, November 8, 2015 as requested; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried.

Mike Gilomen, 518 Broadway, stated he owns a house at 511 12th Street. When we have a heavy rain, the basement of the house fills with water in a matter of minutes. The drainage does not handle the rain, even with four sump pumps in the basement, I had 5'4" of water in the basement in April 2013; and, this August, I had thirty inches of rainwater in the basement. I contacted City Hall about what the city was going to do about this; I have not heard back yet. City Manager Latham stated I left a message for you to come up and see me.

Mr. Gilomen stated there are multitudes of things that can be done to fix this area including adding another box culvert. I know bolt-on covers are available. A drop box could be installed to fill in. The city should post signs in the area warning of flooding areas. Two people had significant damage to cars. You can call this an Act of God, but an Act of God only works up to the point when you interfere with God's will. It must be dealt with. God gave us the branches to dump the water into; not undersized storm sewers. Other areas beyond 511 - 518 12th Street have been affected. Tracy Schumacher is another person that has been heavily affected with each heavy rainfall.

Councilman Schwarz asked what changed in 2013 that made this an issue that did not exist before. City Manager Latham responded I do not know. Two events have happened since I have been here. Mr. Gilomen stated you could call it a 500-year flood; however, the fact that it has happened twice in two years makes you question that. The problem starts where the 1993 construction tried to tie into with cast culvert. City Manager Latham explained the lid that is blowing off, is where it reduces to the old culvert; and, it is causing the tile to backup and build up pressure.

My property is 25% downstream, but it could be purchased and made into a retention area. The parking lot is a lot larger than the lot of 511 12th Street. Councilwoman Bellm asked who owns the parking lot. Mr. Gilomen responded he was not sure. It was part of the Jakel Manufacturing property at one point. What is the issue of bolting down the cover? Councilman Schwarz noted it would only send the pressure downstream. Mr. Gilomen acknowledged that it would; however, the pressure would be downstream, closer to the branch. Mr. Donny Augustine stated when the project was done in 2013; I asked the contractor how you could tie a larger pipe into a smaller pipe and expect it to carry more. Councilman Schwarz asked do we expect the flooding issues to increase and become more severe. Are outside influences effecting this? City Manager Latham responded we do not know. Mr. Gilomen stated Mr. Augustine was forced to provide easement for the drainage to be put in. Going upstream another 350-foot, the line changes to a 60" steel culvert. When you build it into the old pipe, it creates a bottleneck. Bottom line is what was put in the 1950's is not working. What was done in 1993, says it was the first phase, and it has been twenty-two years and nothing has been done with the remaining phase. Yet, we want to build and offer TIF incentives upstream, which is only going to create more problems for us downstream. Councilwoman Bellm asked where do we go. Mr. Gilomen pointed out there are four lots in the heavily affected area that do not have any structures, in them that 500-600 block area. Bolting down that lid will relieve the instant flooding that occurs in this area. While it may push it further downstream, it would be closer to the branch.

City Manager Latham stated we will go to the engineers and get more information. Councilwoman Bellm acknowledged we are going to have to look at the options and the ramifications down the road. City Manager Latham stated he will have staff look at the engineers. Mr. Augustine stated do not get the same engineer you had before that built this system, because this is not working. Mayor Michaelis asked City Manager Latham when we could expect to have some information back. City Manager Latham estimated 30 days. Mayor Michaelis stated he would stay on top of this and give them a call within 30 days. Mayor Michaelis looked at the picture given to the council by Mr. Gilomen, stating he has seen this many times over the past forty years. Mr. Gilomen asked if the lid could be welded, until we get the next big rain, just to see what happens when we get the next rain. It is a very inexpensive thing to try. Mr. Augustine agreed; it is a Bandaid on the problem.

Requests of Council:

No requests or comments.

Staff Reports:

Nothing to report.

NEW BUSINESS

Approve Mayor's Appointments to the Parks & Recreation Advisory Commission – Councilman Schwarz made a motion to approve the mayor's appointments of Erin Mignin and Tina Huck, with terms to expire July 31, 2018, and Benjamin Voytas, to fill the unexpired term of Jennifer Wright, with a term to expire July 31, 2017 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #15-91/RESOLUTION Approving Contract for Ambulance Service with Marine Community Fire Protection District – Councilwoman Bellm made a motion to approve Bill #15-91/Resolution #15-10-2340 approving contract for ambulance service with Marine Community Fire Protection District as attached; seconded by Councilman Schwarz. Councilman Schwarz asked if these rates were pulled from last year or reviewed. EMS Chief Brian Wilson reported we worked with Kelly Korte, Director of Finance, to look at our costs and raise them slightly. Councilman Schwarz inquired, so the increase is not totally inflationary, it was based on actual costs. Chief Wilson replied yes. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-92/RESOLUTION Approving Contract for Ambulance Service with St. Jacob Fire Protection District – Councilman Schwarz made a motion to approve Bill #15-92/Resolution #10-05-2341 approving contract for ambulance service with St. Jacob Fire Protection District as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-93/ORDINANCE Accepting Nonexclusive and Permanent Public Utilities Easements Deed from the Owners of All Lots and the Commons Area in Woodcrest Professional Park – Phase One Subdivision – Councilwoman Bellm made a motion to approve Bill #15-93/Ordinance #2701 accepting nonexclusive and permanent public utilities easements deed from the owners of all lots and the commons area in Woodcrest Professional Park – Phase One Subdivision as attached; seconded Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-94/RESOLUTION Approving Contract with Barnes, Henry, Meisenheimer and Gende, Inc., for Professional Services and Other Services Involved in Designing, Procuring Components for, Assembling, Installing, and Starting Use of Upgraded Control Panels for the Caterpillar Generator Building – Councilman Schwarz made a motion to approve Bill #15-94/Resolution #15-10-2342 approving contract with Barnes, Henry, Meisenheimer and Gende, Inc., for professional services and other services involved in designing, procuring components for, assembling, installing, and starting use of upgraded control panels for the Caterpillar Generator Building, in the amount of \$365,000 as attached; seconded Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting Bid #E-10-15 for LED Lighting for Rinderer Park – Councilwoman Bellm made a motion to approve Notice of Municipal Letting Bid #E-10-15 for LED Lighting for Rinderer Park as attached; seconded by Councilman Schwarz. Councilman Schwarz noted there is not much out there. Why are we trying to light it? Director Cook explained they are decorative lights that cut down on the light pollution. Councilman Schwarz asked we are doing out there. City Manager Latham reported we are hoping to get the dog park in, later this fall. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Health Insurance Plan for the 2015/2016 Plan Year – Councilman Schwarz made a motion to approve Health Insurance Plan for the 2015/2016 Plan Year as attached; seconded by

Councilwoman Bellm. Councilwoman Bellm thanked staff for doing everything they can. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Additional Funding for Homebuyer Assistance Program – Councilwoman Bellm made a motion to approve additional funding for Homebuyer Assistance Program as attached; seconded by Councilman Schwarz. Councilman Schwarz stated I read a statement by a real estate agent stating this is very successful so far. We had four closings so far and another one in process. This program is listed on Bank of America's website for their down payment assistance program, Veterans' United, and downpayment.com. With these websites, we are reaching a large audience. This approval is to continue the funding for a few years. Councilman Schwarz asked how much. Director Peck explained \$60,000 would fund 20 more. When you call this program a success, is when you see neighborhoods improve and neighbors working with each other. Councilwoman Bellm stated she is delighted to see it working as well as it has, as soon as it has. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

REPORTS

Approve Warrant #999 – Councilman Schwarz made a motion to approve Warrant #999 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn this regular session to enter into executive session under the Illinois Open Meetings Act under 2(c)(21) to discuss approval of executive session minutes and 2(c)(11) to discuss of probable litigation; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 7:46pm.

Mayor Michaelis reconvened the Regular Session at 8:04pm. Council members Councilman Nicolaides, Bellm, Frey and Schwarz were present. Also present were City Manager Latham, City Attorney Long, Directors Bell, Korte and Peck, Deputy City Clerk Hediger, City Clerk Bellm, and one member of the news media.

NEW BUSINESS

Bill #15-95/ORDINANCE Deeming the Agreement for Economic Development Incentives with Family Care Properties, LLC, To Have Been Terminated on October 1, 2014 – Councilman Schwarz made a motion to approve Bill #15-95/Ordinance #2702 deeming the agreement for economic development incentives with Family Care Properties, LLC, to have been terminated on October 1, 2014 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Schwarz. All council members voted aye, none nay. Motion carried and meeting adjourned at 8:05pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk